

Larry Hogan, Governor Boyd K. Rutherford, Lt. Governor

Ben Grumbles, Secretary Horacio Tablada, Deputy Secretary

September 10, 2019

Myson's Legacy LLC c/o Lane Engineering, Inc 117 Bay St PO Box 1767 Easton, MD 21601

Re:

Agency Interest Number: 160845

Tracking Number: 201860599

Tidal Authorization Number: 18-WL-0346

Dear Myson's Legacy LLC

Your project did not qualify for approval under the Maryland State Programmatic General Permit (MDSPGP); therefore a separate review and issuance of the federal permit will be required by the U.S. Army Corps of Engineers. The federal permit is not attached.

Additionally, your project required a Wetlands License to be approved and issued by the Maryland Board of Public Works (BPW). The Wetlands License was sent to you by the BPW's Wetlands Administrator.

A project that does not qualify for approval under the MDSPGP requires an individual Water Quality Certification (WQC) to be issued by the Maryland Department of the Environment, which is attached. Please take a moment to read and review your WQC to ensure that you understand the limits of the authorized work and all of the general and special conditions.

You should not begin any work until you have obtained all necessary State, local, and federal authorizations. Please contact Megan Spindler at megan.spindler@maryland.gov or 410-537-3622 with any questions.

Sincerely

Jonathan Stewart, Chief

Eastern Region

Tidal Wetlands Division



# STATE OF MARYLAND DEPARTMENT OF THE ENVIRONMENT WATER AND SCIENCE ADMINISTRATION WATER QUALITY CERTIFICATION



for WETLAND LICENSE 18-WL-0346

WATER QUALITY CERTIFICATION NUMBER: 19-WQC-0007

**EFFECTIVE DATE: August 14, 2019** 

**EXPIRATION DATE: August 13, 2022** 

CERTIFICATION HOLDER: Mysons Legacy LLC

ADDRESS: 9 Federal St

Easton, Maryland 21601

PROJECT LOCATION: St Michaels Road Tax Map 32, Grid 17,

Parcel 101

Saint Michaels, MD 21663 Miles River in Talbot

UNDER AUTHORITY OF SECTION 401 OF THE FEDERAL WATER POLLUTION CONTROL ACT AND ITS AMENDMENTS AND IN ACCORDANCE WITH §9-313 THROUGH §9-323, INCLUSIVE, OF THE ENVIRONMENT ARTICLE, ANNOTATED CODE OF MARYLAND, THE WATER AND SCIENCE ADMINSTRATION ("ADMINISTRATION") HAS DETERMINED THAT THE REGULATED ACTIVITY DESCRIBED IN STATE TIDAL WETLANDS LICENSE NUMBER 18-WL-0346 ("LICENSE") WILL NOT VIOLATE MARYLAND'S WATER QUALITY STANDARDS, IF CONDUCTED IN ACCORDANCE WITH THE CONDITIONS OF THIS CERTIFICATION AND WITH ALL TERMS AND CONDITIONS OF THE LICENSE. A COPY OF THE LICENSE, INCLUDING APPROVED PROJECT DRAWINGS AND OTHER ATTACHMENTS, IS ATTACHED HERETO AND IS HEREBY INCORPORATED BY REFERENCE.

THIS CERTIFICATION DOES NOT RELIEVE THE APPLICANT OF RESPONSIBILITY FOR OBTAINING ANY OTHER APPROVALS, LICENSES, OR PERMITS IN ACCORDANCE WITH FEDERAL, STATE, OR LOCAL REQUIREMENTS AND DOES NOT AUTHORIZE COMMENCEMENT OF THE PROPOSED PROJECT. A COPY OF THIS REQUIRED CERTIFICATION HAS BEEN SENT TO THE CORPS OF ENGINEERS.

THE CERTIFICATION HOLDER SHALL COMPLY WITH THE CONDITIONS LISTED BELOW.

## **SPECIAL CONDITIONS**

A. The terms and conditions of Tidal Wetlands License No. 18-WL-0346 are hereby incorporated, by reference, into this Water Quality Certification. The Certification Holder shall comply with these conditions to ensure that the authorized activities will not result in a violation of the State's water quality standards.

### **GENERAL CONDITIONS**

- A. The proposed project shall be constructed in a manner which will not violate Maryland's Water Quality Standards as set forth in COMAR 26.08.02. The applicant is to notify this Department ten (10) days prior to commencing work. Verbal notification is to be followed by written notice within ten (10) days.
- B. The Maryland Department of the Environment has determined that the proposed activities comply with, and will be conducted in a manner consistent with the State's Coastal Zone Management Program, as required by Section 307 of the Federal Coastal Zone Management Act of 1972, as amended.
- C. If the authorized work is not performed by the property owner, all work performed under this Tidal Wetlands License shall be conducted by a marine contractor licensed by the Marine Contractors Licensing Board (MCLB) in accordance with Title 17 of the Environment Article of Annotated Code of Maryland. A list of licensed marine contractors may be obtained by contacting the MCLB at 410-537-3249, by e-mail at MDE.MCLB@maryland.gov or by accessing the Maryland Department of the Environment, Environmental Boards webpage.
- D. The Certification Holder shall ensure the proposed project shall be constructed in accordance with the authorized plan and any authorized revisions.
- E. The Certification Holder shall ensure that all fill and construction materials not used in the project shall be removed and disposed of in a manner which will prevent their entry into waters of this State.
- F. The Certification Holder shall notify the Water and Science Administration, Tidal Wetlands Division, in writing, upon transferring property ownership or responsibility for compliance with these conditions to another person. The new owner/operator shall request, in writing, transfer of this Water Quality Certification to his/her name.
- G. The Certification Holder shall allow representatives of the Maryland Department of the Environment to inspect the authorized activities.
- H. The Certification Holder shall ensure that a copy of this Permit, including the approved plans, is available at the site until the authorized work is complete.
- I. The Certification does not relieve the Certification holder from the responsibility of obtaining all necessary federal, State, and local government authorizations.
- J. The Certification Holder shall comply with all Critical Area requirements and obtain all necessary authorizations from local jurisdiction. This Certification does not constitute authorization for disturbance in the 100-foot Critical Area Buffer. "Disturbance" in the Buffer means clearing, grading, construction activities, or removal of any size of tree or vegetation. Any anticipated Buffer disturbance requires prior written approval, before commencement of land disturbing activity, from local jurisdiction in the form of a Buffer Management Plan.

Failure to comply with these conditions shall constitute reason for suspension or revocation of the Water Quality Certification, and legal proceedings may be instituted against the Certification Holder in accordance with the Annotated Code of Maryland. In granting this certification, the Department reserves the right to inspect the operations and records regarding this project at anytime

**CERTIFICATION APPROVED** 

D. Lee Currey, Director

Water and Science Administration

Tracking Number: 201860599 Agency Interest Number: 160845

Effective Date:

August 14, 2019

Enclosure: Executed Tidal Wetlands License No. 18-WL-0346 with all plans and attachments.

cc: WMA Inspection & Compliance Program



State of Maryland Board of Public Works Larry Hogan Governor Wetlands Administration Nancy K. Kopp Post Office Box 1510 Treasurer Annapolis, Maryland 21404 Peter Franchot 410-260-7791 Comptroller Fax: 410-974-5240 Skeila C. McDonald Executive Secretary Toll Free: 1-877-591-7326 ugust 14, 2019

Mysons Legacy LLC c/o Lane Engineering, Inc. 117 Bay Street Easton, MD 21601

RE: Wetlands License No. 18-0346, Miles River, Talbot Co., MD

Dear Licensee(s):

Enclosed please find the original and one copy of the above-mentioned wetlands license issued to you on August 14, 2019.

After you have read all the conditions of the license, please ensure that the license is signed by the licensee (or designee) and the entire original license (including plans) is returned to this office within 15 business days in the enclosed envelope. The Executive Secretary signs and validates the license after BPW receives the license signed by the licensee. Retain the copy of the license for your records.

Please note that you must notify the MD Department of the Environment, Inspections and Compliance Program, by calling (410) 537-3510 in Baltimore, or (410) 901-4020 in Cambridge, five days prior to commencing work.

This does not constitute your federal authorization. Contact the U.S. Army Corps of Engineers, Baltimore District, (410) 962-4500 (Maryland Section Southern) or (410) 962-4252 (Maryland Section Northern) regarding the status of the federal permit.

If you have any questions concerning this license, please contact me.

Sincerely,

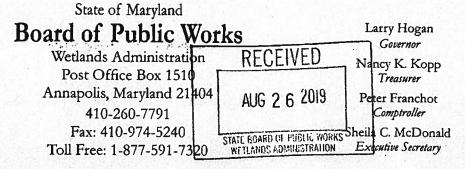
William Morgante
Wetlands Administrator

Willia naga

**Enclosure** 

cc: MDE, Tidal Wetlands Division





#### **WETLANDS LICENSE NO. 18-0346**

#### MYSONS LEGACY LLC

The Maryland Board of Public Works authorizes you to:

- I. Construct a 109-linear foot low profile stone, sand containment sill, and fill and grade with 127 cubic yards of sand along 139 feet of eroding shoreline and plant with marsh vegetation extending a maximum of 30 feet channelward of the mean high water line (MHWL).
- II. Construct 50 feet of low profile stone edging within a maximum of 5 feet channelward of an eroding marsh edge extending a maximum of 30 feet channelward of the MHWL.
- III. Repair and maintain 575 linear feet of revetment in the existing footprint.
- IV. Construct an 80-linear foot low profile stone, sand containment sill, and fill and grade with 104 cubic yards of sand along 100 feet of eroding shoreline and plant with marsh vegetation extending a maximum of 45 feet channelward of the MHWL.
- V. Construct 835 feet of riprap revetment within a maximum of 3 feet channelward of the MHWL.
- VI. Construct 208 feet of riprap revetment within a maximum of 5 feet channelward of the MHWL.
- VII. Replace an existing groin with a 10-foot wide by 75-foot long stone groin extending a maximum of 75 feet channelward of the MHWL.
- VIII. Replace an existing groin with a 10-foot wide by 95-foot long stone groin extending a maximum of 95 feet channelward of the MHWL.
  - IX. Construct a 638-linear foot low profile stone, sand containment sill, and fill and grade with 914 cubic yards of sand along 698 feet of eroding shoreline and plant with marsh vegetation extending a maximum of 70 feet channelward of the MHWL.
  - X. Construct a 232-linear foot low profile stone, sand containment sill, and fill and grade with 401 cubic yards of sand along 252 feet of eroding shoreline and plant with marsh vegetation extending a maximum of 60 feet channelward of the MHWL.

Miles River, St. Michael's Road, St. Michaels, Talbot County, Maryland

Issuance of this Tidal Wetlands License constitutes the State's determination that the authorized activities are consistent with the Maryland Coastal Zone Management Program, as required by Section 307 of the Federal Coastal Zone Management Act of 1972, as amended [16 U.S.C. §1456]. Accordingly, the State concurs with the Licensee's certification in the Joint Permit Application that the project complies with, and will be conducted in a manner consistent with the Maryland CZMP.

# THIS LICENSE AUTHORIZES YOU TO PERFORM THE WORK ONLY IF YOU COMPLY WITH THE FOLLOWING SPECIAL CONDITION(S):

- A. The issuance of this License is not a validation or authorization by the Maryland Department of the Environment (MDE) of any structures above the existing mean high water line, nor does it relieve the Licensee of the obligation to obtain local government approval for work in the Critical Area Buffer. Licensee shall have all work proposed above MHW reviewed and authorized by Talbot County Department of Planning and Zoning.
- B. Marsh establishment:
  - a. Licensee shall use clean substrate fill material, no more than 10% of which shall pass through a standard number 100 sieve.
  - b. The marsh establishment area shall be planted within one year following completion of the filling operation.
  - c. The marsh establishment project shall be maintained as a wetland, with non-nuisance species' aerial coverage of at least 85% for three consecutive years. If 85% coverage is not attained, the reasons for failure shall be determined, corrective measures shall be taken, and the area shall be replanted.
  - d. If the fill is graded hydraulically, Licensee shall use a turbidity curtain around the perimeter of the instream work.
  - e. If the existing bank is to be cleared or graded,
    - i. Licensee shall obtain any required approvals of an erosion and sediment control plan from the applicable sediment and erosion control agency, and
    - ii. Licensee shall perform all work under and in accordance with the Critical Area requirements of the local jurisdiction in the form of an approved Buffer Management Plan.
- C. Licensee shall accept the terms of the attached marsh maintenance plan by signing and returning the standard plan to the Maryland Department of the Environment's (MDE) Water and Science Administration, Tidal Wetlands Division, prior to commencement of any work authorized under this License. If the Licensee wishes to propose an alternative marsh maintenance plan, the alternative plan must be submitted to and approved by the Tidal Wetlands Division, Water and Science Administration, prior to commencement of any work authorized under this License. Any alternative plan must provide assurances of success that are at least equivalent to those of the standards plan, in terms of the extent of native marsh plant coverage, elimination of invasive species and timeframe for plant establishment.

## HIS LICENSE AUTHORIZES YOU TO PERFORM THE WORK ONLY IF YOU COMPLY WITH THE FOLLOWING STANDARD CONDITIONS:

 Licensee shall conduct the authorized work in accordance with the plans and drawings dated March 28, 2018, which are hereby incorporated into this License.
 Until the authorized work is complete, Licensee shall have available at the site a copy of this License including the plans and drawings.

- 2. This License constitutes Maryland's authorization to conduct the authorized work under the State Tidal Wetlands Law. This License does not bestow any other federal, State, or local government authorization.
- 3. Licensee shall have all proposed work above Mean High Water reviewed and authorized by the local county Department of Planning and Zoning or applicable agency.
- 4. Licensee shall notify MDE's Inspection and Compliance Program by phone (410-537-3510) AND in writing (MDE, Inspection and Compliance Program, 1800 Washington Boulevard, Baltimore, MD 21230) of the following:
  - start date at least five business days before beginning work; and
  - completion date no more than five business days after project completion.
- 5. If MDE has issued a Water Quality Certification with respect to the authorized work, Licensee shall comply with all conditions of that certification.
- 6. Licensee shall conduct the authorized work in accordance with Critical Area Commission requirements. This License does not authorize disturbance in the Buffer. If authorized work will disturb the Buffer, Licensee shall have a Commission-approved or locally-approved Buffer Management Plan before beginning the authorized work. "Buffer" means the 100-foot Critical Area Buffer and any expanded area that is immediately landward of the mean high water line of the tidal waters or is immediately landward of tidal wetlands. The Buffer includes expanded contiguous area if the contiguous area includes steep slopes, hydric soil, or highly erodible soil, or otherwise meets the criteria of COMAR 27.01.09.01.E(7). "Disturbance" means any alteration or change to the land including any amount of clearing. Clearing includes vegetation removal, grading, and construction activity.
- 7. Licensee may not fill, dredge, or otherwise alter or destroy tidal marsh or its vegetation unless this License specifically authorizes the activity.
- 8. Licensee may not stockpile material in State tidal wetlands or State tidal waters of the U.S.
- 9. Licensee shall allow unfettered public use of State wetlands and State tidal waters of the U.S.
- 10. This License does not transfer a property interest of the State.
- 11. Licensee shall file a Miss Utility ticket for the proposed work at least 10 days before beginning work. Miss Utility: 800-257-7777
- 12. Licensee shall ensure that structures (for example, piers and piles) removed from the site are taken to an upland disposal facility approved by MDE's Inspection and Compliance Program.
- 13. If the authorized work impacts more than 5,000 square feet or includes 100 or more cubic yards of fill, Licensee shall conduct the authorized work in accordance with a locally-approved Soil Erosion and Sediment Control Plan.
- 14. If the authorized work is not performed by the property owner, all work performed under this Tidal Wetlands License shall be conducted by a marine contractor licensed by the Marine Contractors Licensing Board (MCLB) in accordance with Title 17 of the Environment Article of Annotated Code of Maryland. A list of licensed marine contactors may be obtained by contacting the MCLB at 410-537-3249, by email at MDE.MCLB@maryland.gov or by accessing the Maryland Department of the Environment, Environmental Boards webpage.
- 15. Licensee shall allow State officials and employees to make inspections at reasonable times and cooperate with those inspections.

- 16. This License is granted only to the Licensee. Licensee may transfer the license only with written approval from the Board of Public Works. If the Board of Public Works approves the transfer, the transferee is subject to all License terms and conditions.
- 17. Licensee shall indemnify, defend, and save harmless the State of Maryland, its officials, officers, and employees from and against any and all liability, suits, claims, and actions of whatever kind, caused by or arising from, the work this License authorizes.
- 18. The Board of Public Works or its Wetlands Administrator may modify, suspend, or revoke this License in its reasonable discretion.
- 19. This License expires August 14, 2022. If the authorized work is not completed by the expiration date, all activity must stop.
- 20. Note: A three-year license may be renewed for one additional three-year term if the Licensee requests an extension before the expiration date and all other conditions are met. A six-year license may not be renewed; instead Licensee must reapply to MDE for a new license. Contact the Board of Public Works to determine if this License may be extended. Board of Public Works; 410-260-7791

By the authority of the Board of Public Works:

Sheila C. McDonald Executive Secretary

Effective Date: August 14, 2019

Approved as: Secretary's Agenda Item 5

Board of Public Works Meeting Date: August 14, 2019

I accept this License and all its conditions.

8/20/2019 Date

Name (Printed)

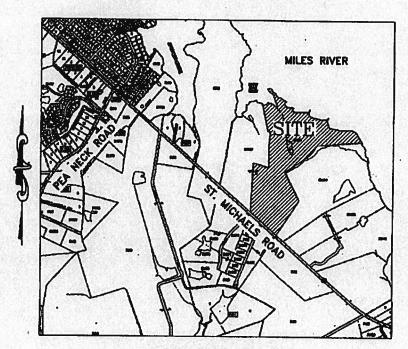
Title

STATE BUARD OF PUBLIC WORKS WETLANDS ADMINISTRATION

AUG 2 6 2019

Email (To receive completed license.)

# TIDAL WETLAND PERMIT DRAWINGS PREPARED FOR MYSONS LEGACY, LLC IN THE SECOND ELECTION DISTRICT TALBOT COUNTY, MARYLAND



18-WL-0346 201860599 16084 SENGINEER

Lane Engineering, LLC
117 BAY STREET
EASTON, MARYLAND 21601
(410) 822-8003

VICINITY MAP
SCALE: 1" = 2,000'

#### OWNER/DEVELOPER

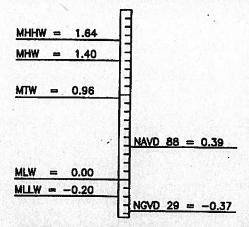
MYSONS LEGACY, LLC 9 FEDERAL STREET EASTON, MARYLAND 21601

#### PROJECT LOCATION

ST. MICHAELS ROAD ST. MICHAELS, MARYLAND

ISSUE FOR:	DATE: BY:	No. DATE:	REVISION:	BY:
MDE SUBMITTAL	03/28/18 DSW			
MDE SUBMITTAL	· 05/01/18 DSW			
MDE SUBMITTAL	06/22/18 DSW		rom service to the subscience of a	
MDE SUBMITTAL	01/25/19 DSW	Carrier Contraction		
MDE SUBMITTAL	03/28/19 DSW			
SHEET NO.  1 OF 21  DATE: AS NOTED  SCALE: AS NOTED  JOB NO. 170307  FILE NO. 5102	TITLE SHEET		Lane Enginee	ring LLC
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#### LEGEND & ABBREVIATIONS MLW MEAN LOW WATER MEAN HIGH WATER MHW **APPROXIMATE** APPROX TYP TYPICAL PROPERTY LINE 100' BUFFER TREE LINE 2016 MAPPED SAV SAV TIDAL WETLANDS -TW 11/1 TIDAL WETLANDS SPARTINA ALTERNIFLORA W SPARTINA PATENS x-2.15 SPOT ELEVATION **EXISTING STONE** PROPOSED STONE



## VERTICAL DATUM COMPARISON CHART SCALE: 1"=1"

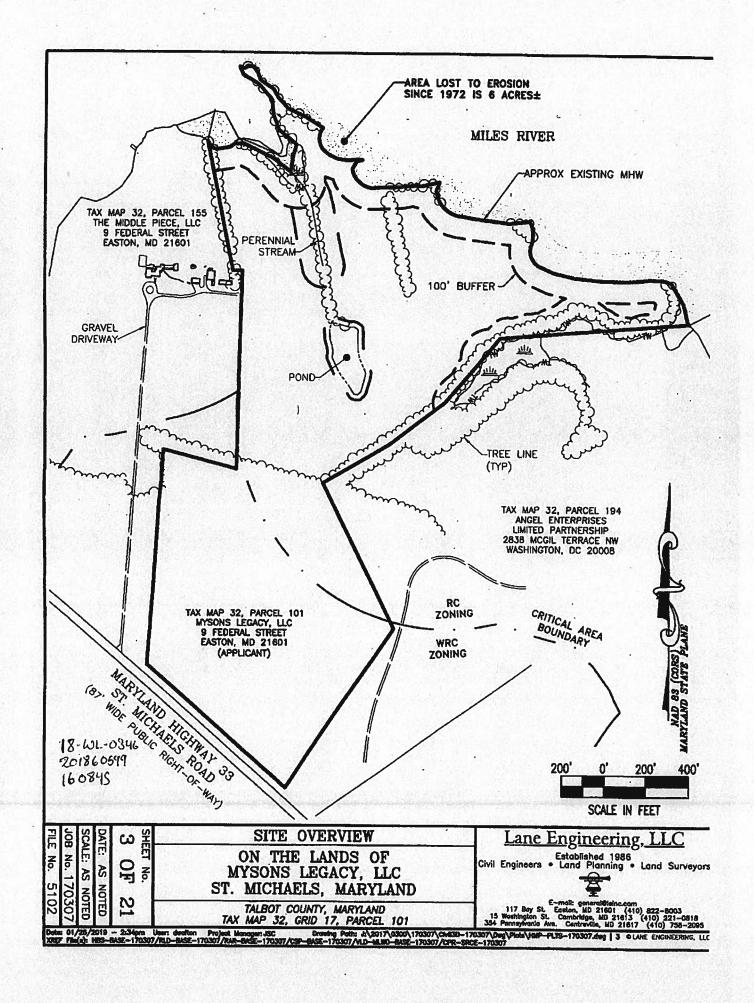
NOTE: MEAN LOW WATER (MLW) AND RELATIVE TIDAL INFORMATION WAS OBTAINED FROM THE NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION (NOAA) AND THE NATIONAL OCEANIC SERVICE (NOS) AND ARE BASED UPON TIDAL BENCH MARK ST. MICHAELS TIDAL EPOCH 1980—1978 AND ADJUSTED 0.22 HIGHER FOR THE EPOCH 1983—2001. USING PRIMARY BENCH MARK NO 4 1942 AND BENCH MARK 7 1969 MLW WAS DETERMINED —0.39 NAVD 1988 DATUM AS ESTABLISHED BY GPS METHODOLOG TO CORS STATIONS HNPT (PID AJ3494) COMBINED FACTOR: 0.99996650 & LOYG (NGS CERTIFICATE PENDING).

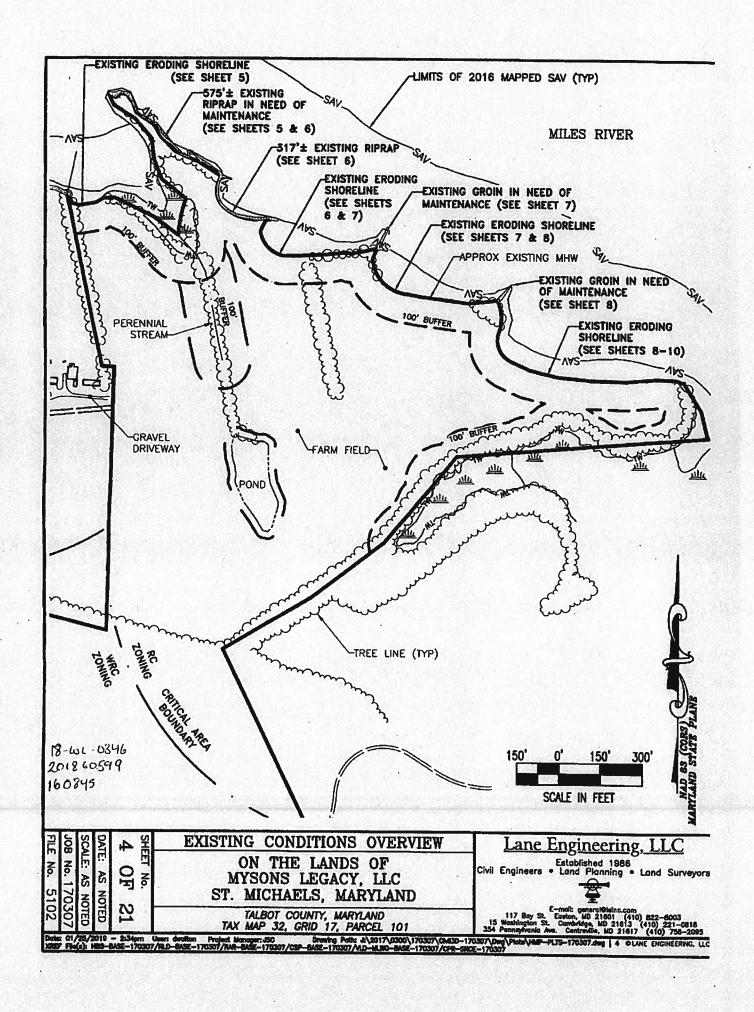
#### **PROJECT NOTES:**

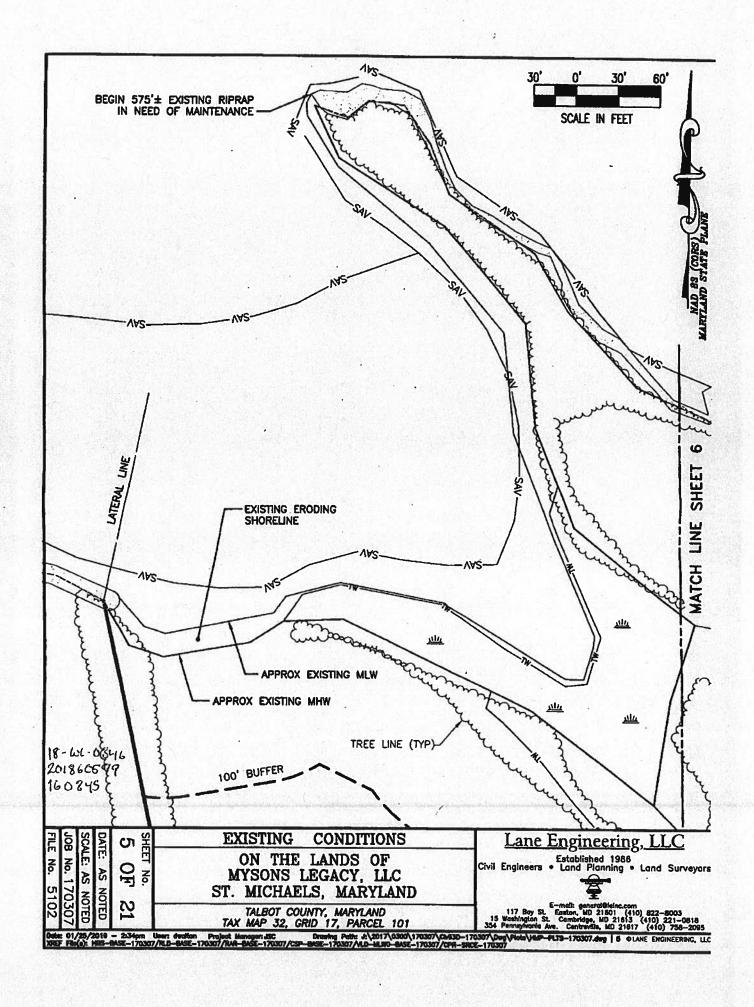
- TIDAL DATUM, I.E. MEAN LOW WATER ELEVATION, IS ESTIMATED FROM ENVIRONMENTAL INDICATORS SUCH AS RACK LINES, WATER MARKS, PLANT COMMUNITY COMPOSITIONS.
- UNLESS OTHERWISE NOTED, ELEVATIONS SHOWN HEREIN ARE REFERENCED TO MEAN LOW WATER (MLW) = 0.0°.
- 4. MEAN TIDAL RANGE = 1.40'
- 5. LOT SIZE = 70.87 AC±
- 6. LOT DEPTH = 2565'±
- 7. LOT WIDTH AT SHORELINE = 4081'±
- 8. DISTANCE TO CHANNEL CENTERLINE = 1000'±
- 9. MAXIMUM CHANNELWARD ENCROACHMENT = LIVING SHORELINE: 35'

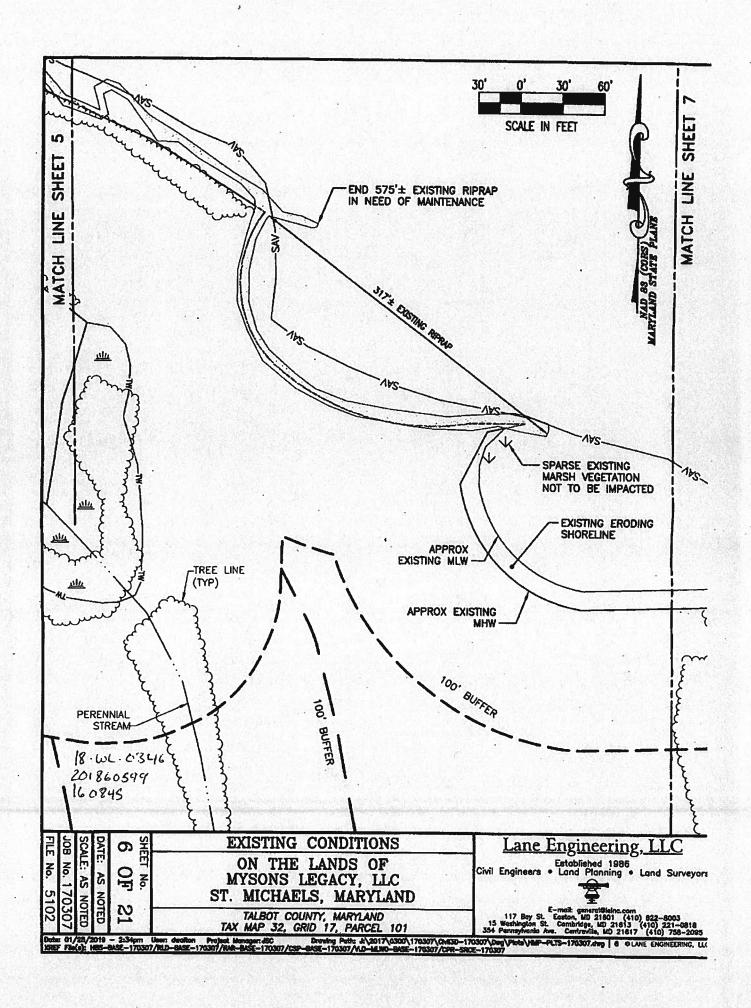
RIRAP: 12' GROINS: 95'

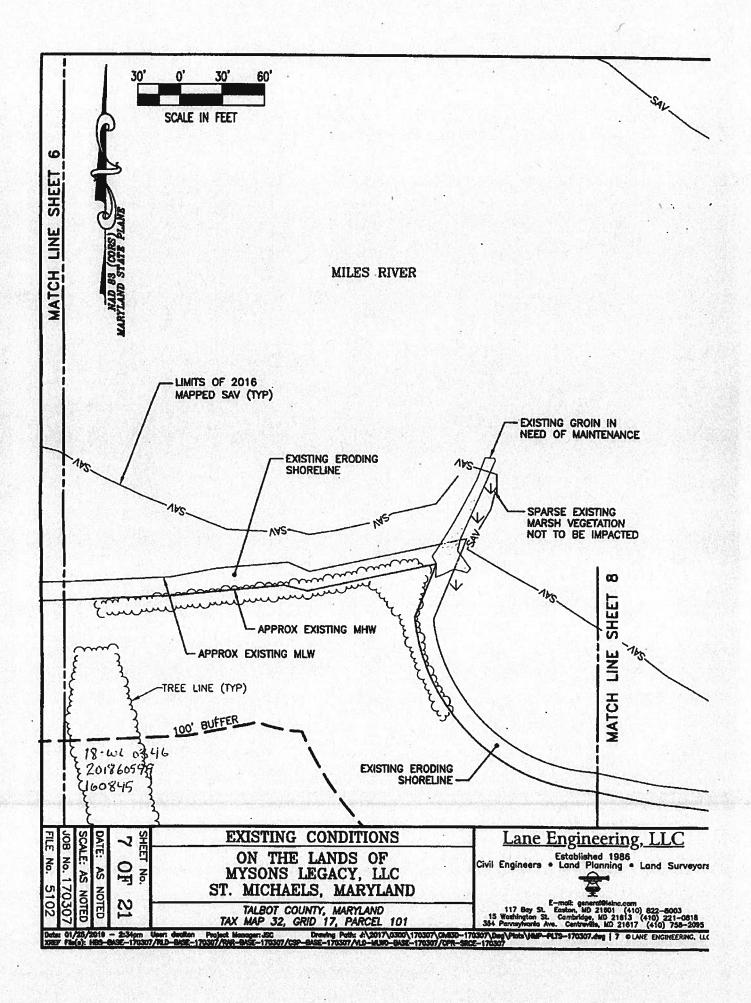
FE SOS SE SHE	SITE & PROJECT NOTES	Lane Engineering, LLC
OF OF No. 17C	ON THE LANDS OF MYSONS LEGACY, LLC ST. MICHAELS, MARYLAND	Established 1986 Civil Engineers • Land Planning • Land Surveyor
型 22 307 02	TALBOT COUNTY, MARYLAND TAX MAP 32, GRID 17, PARCEL 101	E-mail: general@telnc.com 117 Bay St. Easton, MD 21601 (410) 822-8003 15 Washington St. Cambridge, MD 21613 (410) 221-0818 334 Pennsylvania Ava. Centreville, MD 21617 (4(0) 758-2095

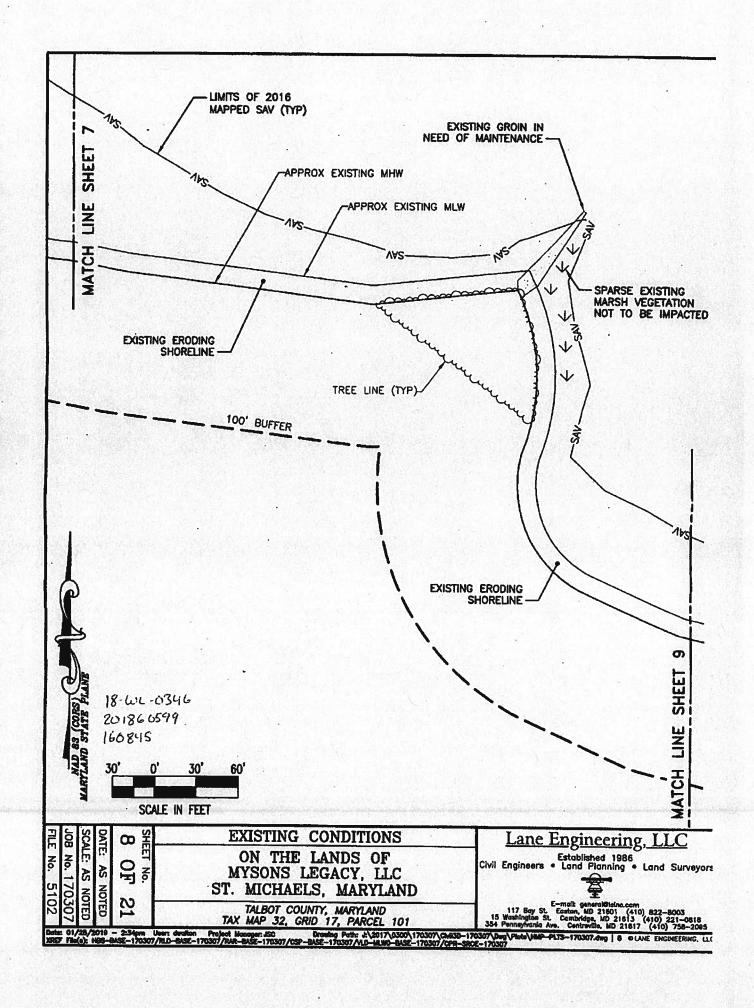


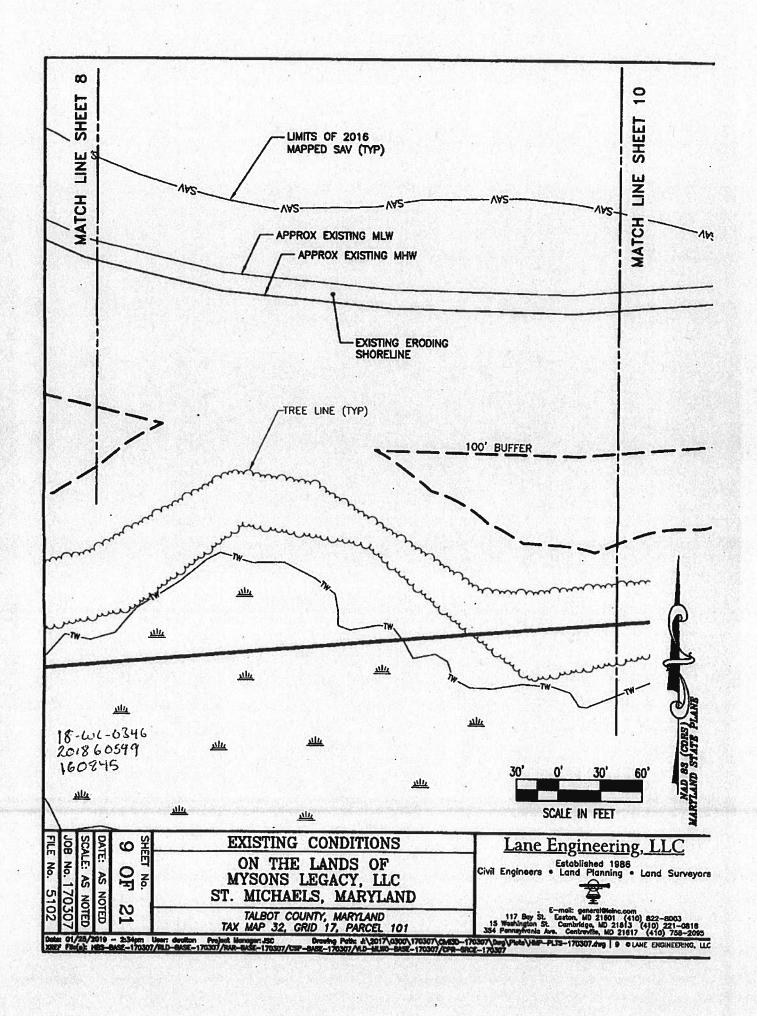


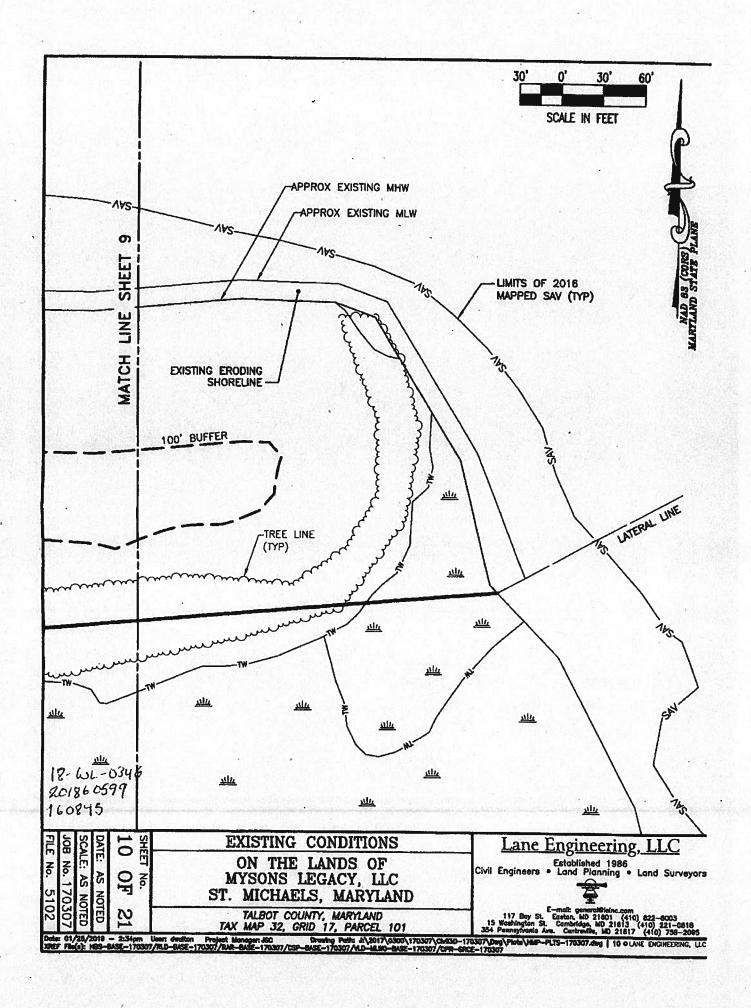


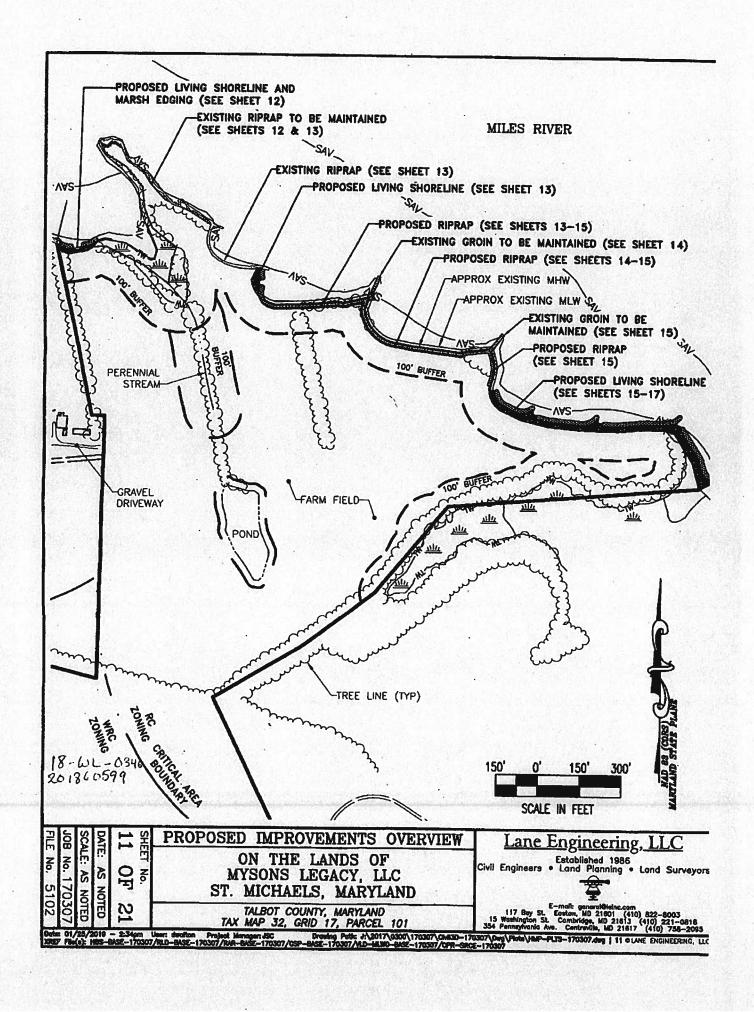


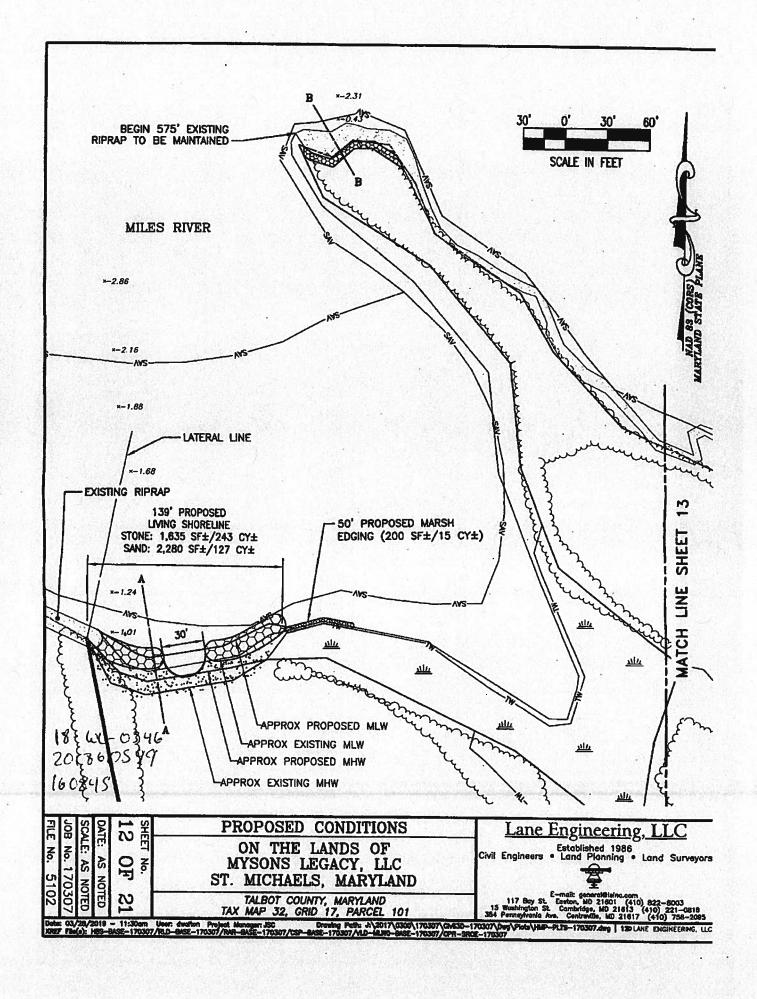


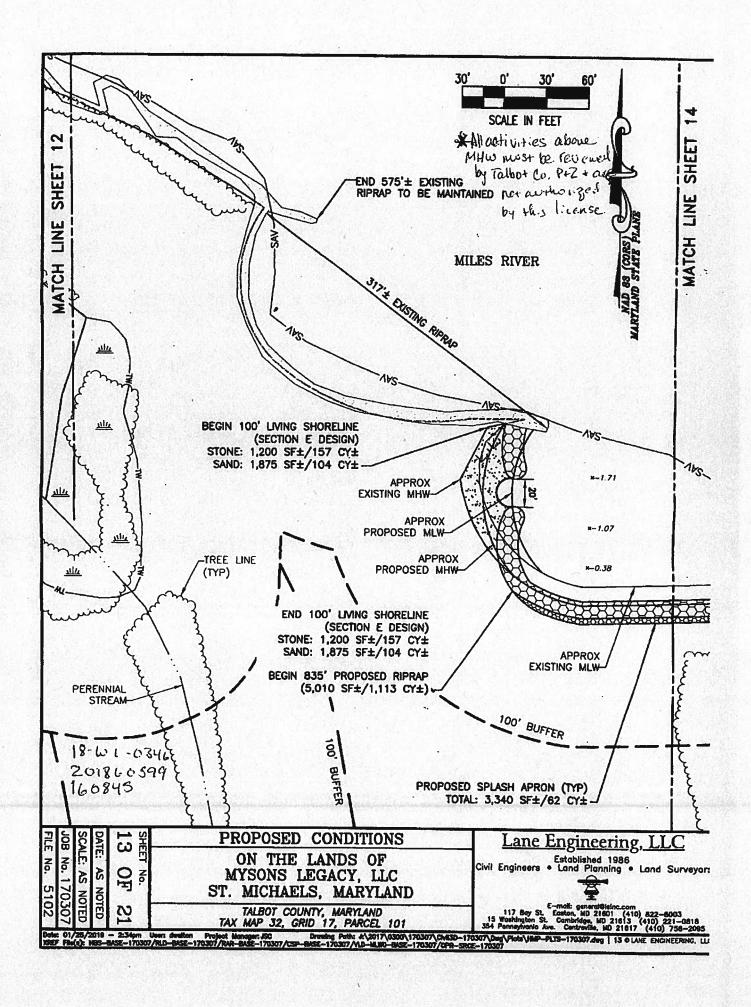


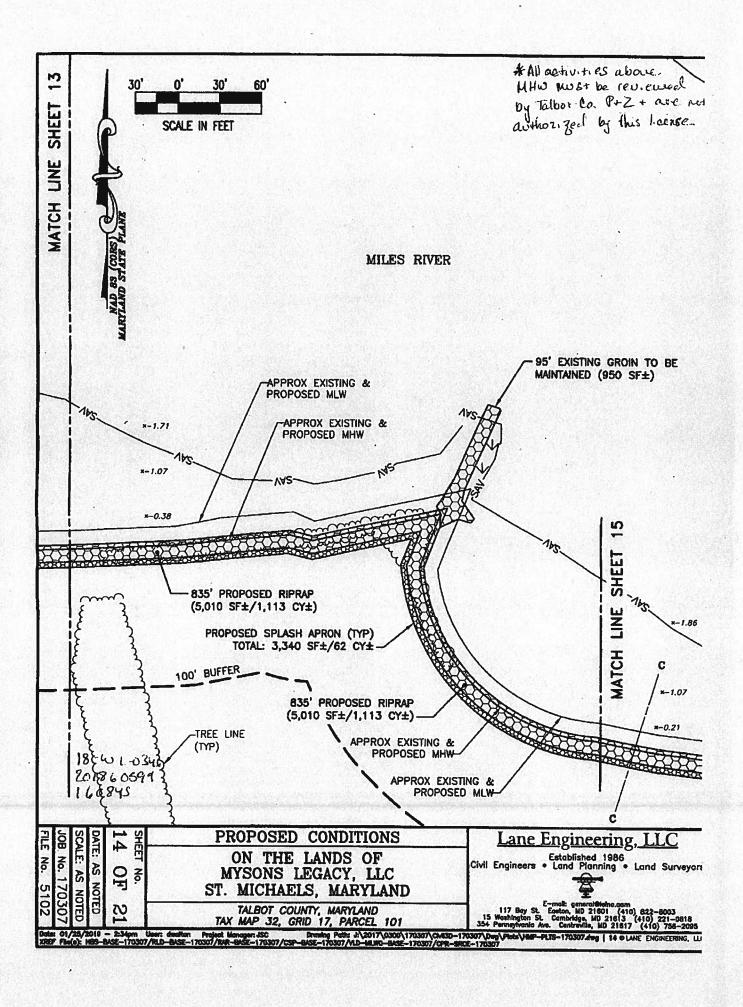


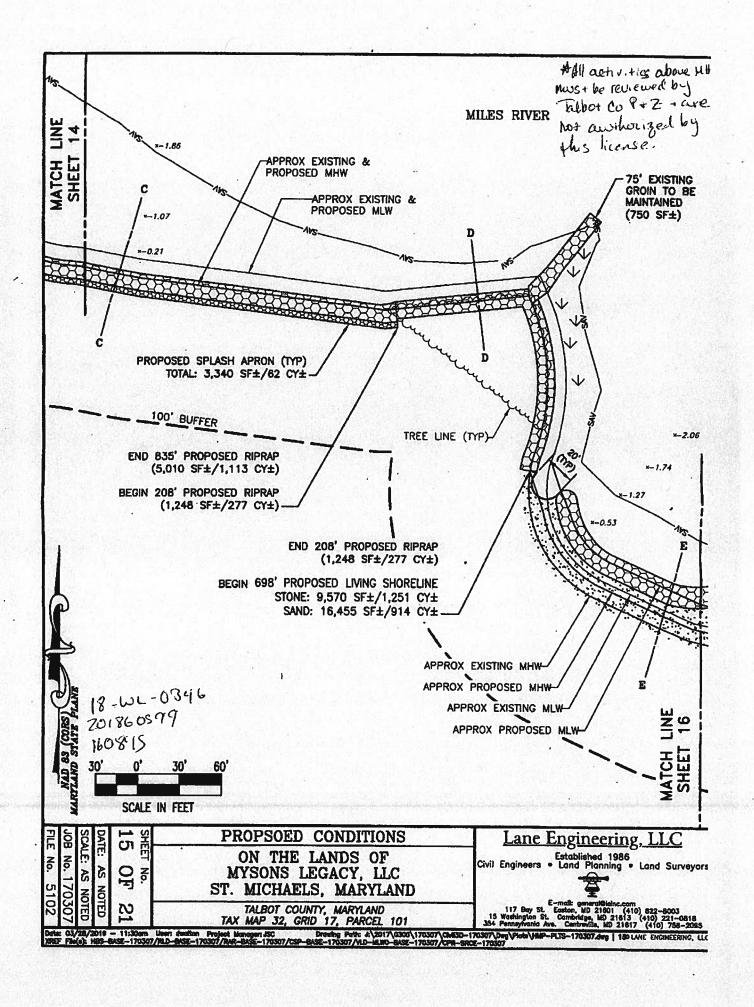


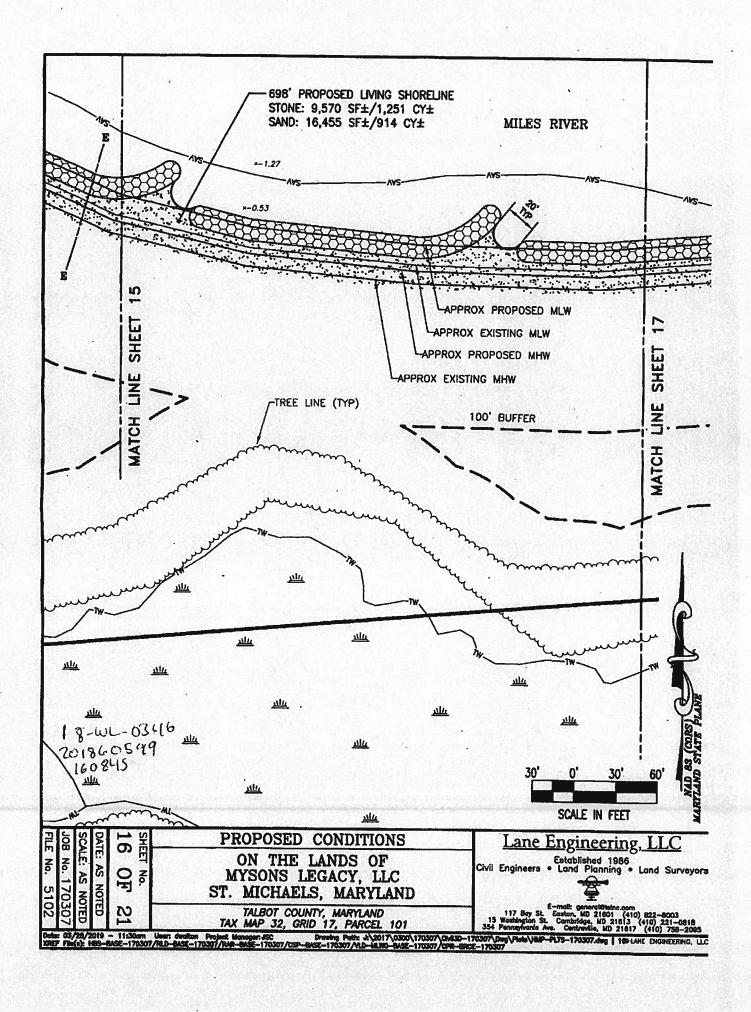


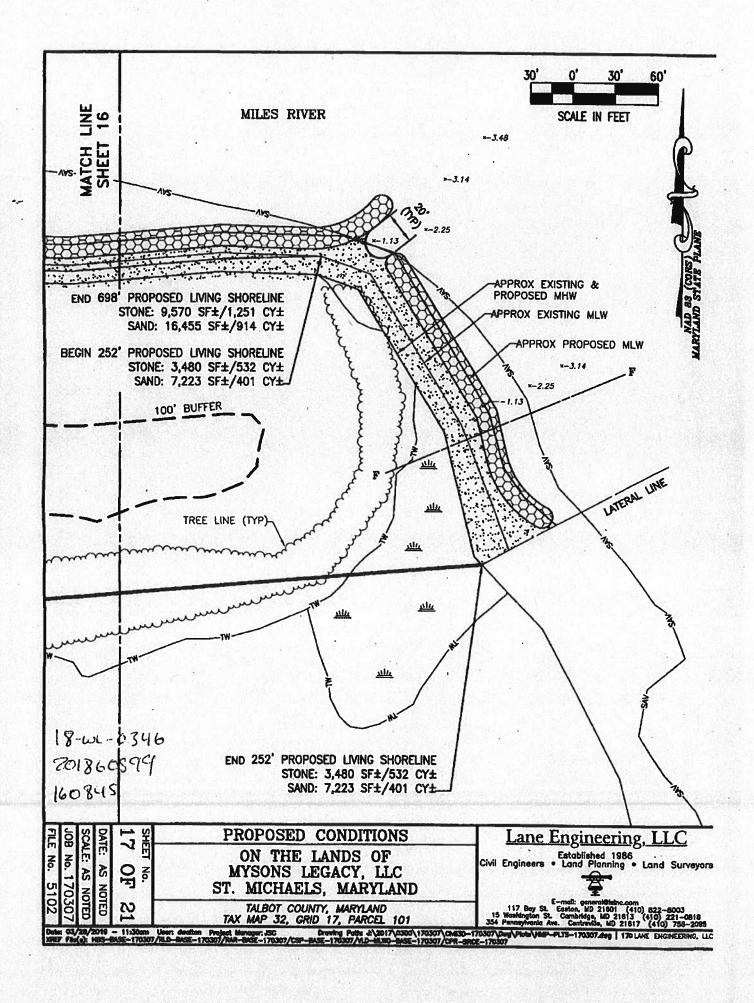


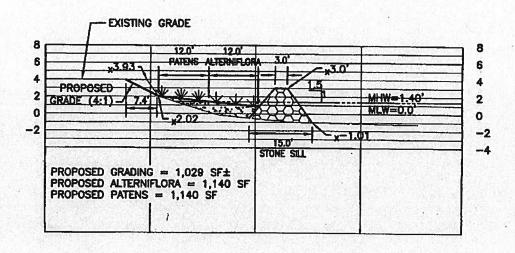




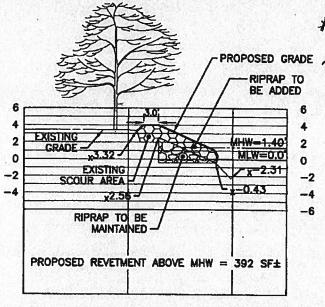








# SECTION A - LIVING SHORELINE HORIZONTAL SCALE: 1" = 20' VERTICAL SCALE: 1" = 10'



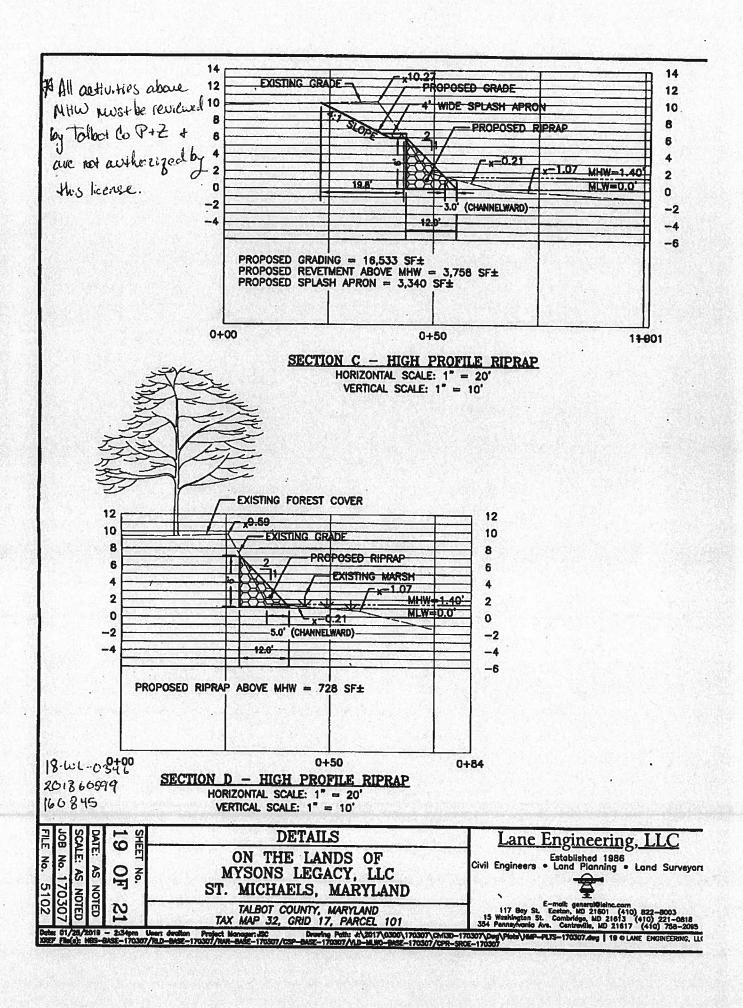
the All activities above the purst be reviewed by talbot to + are not authorized by the sicense.

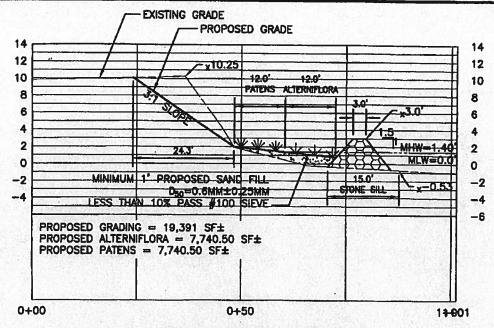
18-WL-0346 201860599 160845

### SECTION B - HIGH PROFILE RIPRAP MAINTENANCE

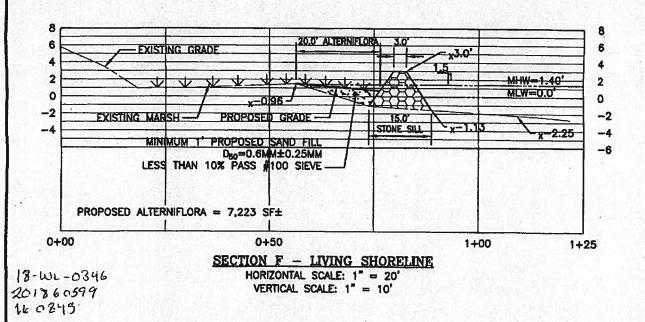
HORIZONTAL SCALE: 1" = 20' VERTICAL SCALE: 1" = 10'

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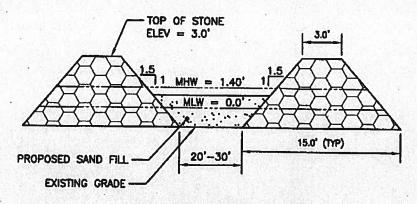




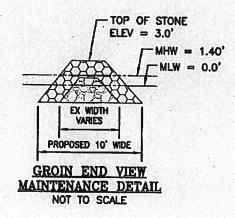
# SECTION E — LIVING SHORELINE HORIZONTAL SCALE: 1" = 20' VERTICAL SCALE: 1" = 10'

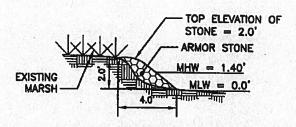


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STONE SILL WINDOW DETAIL NOT TO SCALE





18-WL-0346 201860599 [60845

MARSH EDGING DETAIL
NOT TO SCALE

FI B SO A	2 월	DETAILS	Lane Engineering, LLC
E: AS NO No. 170	O No.	ON THE LANDS OF MYSONS LEGACY, LLC ST. MICHAELS, MARYLAND	Civil Engineers • Land Planning • Land Surveyors
200 000	৩	TALBOT COUNTY, MARYLAND TAX MAP 32, GRID 17, PARCEL 101	117 Bay St. Easton, MD 21801 (410) 822-8003 13 Washington St. Cambridge, MD 21813 (410) 221-0818 384 Pennsylvania Ava. Centreville, MD 21817 (410) 758-2095 MSSD-170307 beg/Plots/489-PLIS-170307.deg   21 0 LANE ENGINEERING, LL